



Jefferson County
Board of Zoning Appeals
Thursday, July 28, 2016, 2:00 p.m.

Members
Tyler Quynn, Chair
Jeffrey Bannon, Vice Chair
Christy Huddle
Matt Knott
Ted Schiltz
Jeff Bresee, Alternate
Craig Foster, Alternate

The Jefferson County Board of Zoning Appeals will meet in the Charles Town Library Conference Room located at 200 East Washington Street, at the side entrance on Samuel Street, in Charles Town, West Virginia.

Unless otherwise noted, all requests are pursuant to the Zoning & Land Development Ordinance.

1. Approval of the minutes from the June 23, 2016 meeting.
2. Swearing in of members of the public intending to provide testimony.
3. Variance request by Beallair Homes, LLC, owner, from the following:
 - a) Section 5.4B1 to reduce the rear setback from 20' to 12' for any residential structures on Lots 112, 127, and 128 (ZV16-12).
 - b) Section 4.18 to allow a staffed model home on Lot 111, which is located within the interior of the subdivision (ZV16-13).

Location: Beallair Subdivision, Lots 112, 127, 128, and Lot 111, Beallair Manor Dr. & Lafayette St., Charles Town, WV. District: 04; Map: 10A; Parcels: 112, 127, 128 (.88 acres total), and 111 (.33 acres); Zone: Residential Growth.

4. Variance request by the Jefferson County Development Authority, owner, from the following:
 - a) Section 5.6D.1 and Appendix B to reduce the required front, side and rear building setbacks to 25' for all lots;
 - b) Section 4.11A.1, 4.11B.2 and 3, 4.11E.1(a-d), 4.11J, & Appendix B to reduce the required side and rear landscape buffer to 10' and to allow a modified planting standard; and to allow existing vegetation in lieu of the aforementioned modified planting standard. The proposed modified planting standard is as follows:

Front: Street trees per Section 4.11I / Side: 10' / Rear: 10'

Without outside storage: 1 evergreen tree planted every 50' along the property line. Should an adjacent use have existing landscaping meeting this standard, trees shall be planted in an alternating pattern.

With outside storage: 1 evergreen tree planted every 50' along the property line. Should an adjacent use have existing landscaping meeting this standard, trees shall be planted in an alternating pattern. Additionally, a fence approved by the Jefferson County Development Authority Board shall be installed. A letter indicating this approval shall be submitted with the site plan.

Vegetation existing along the length of the property line may be used in lieu of the required plantings provided,

- A) A letter of support from the Jefferson County Development Authority Board is submitted to the Department. A letter indicating this approval shall be submitted with the site plan.
- B) Documentation that the existing vegetation is comprised of hardwood and/or evergreen trees.
- C) A 10' landscape buffer is delineated on the required site plan noting that the buffer is to remain undisturbed.
- D) Should any existing vegetation be removed within the buffer, except for general landscape maintenance, the applicant shall replant the affected area per the landscaping standards noted above.

- c) Section 8.9A.10 to allow the street tree standard or modified planting standard in lieu of the required 50' landscape buffer strip for lots along or .5 miles from a limited access highway; and,
- d) Appendix B to reduce the parking and drive aisle setbacks for a proposed industrial use to Front: 15', Side: 10' and Rear: 10'.

District: Charles Town (02); Map: 1; Lot/Parcel below: Burr Business Park: L: 1/P: 101, L: 4/P: 104, L: 5/P: 105, L: 6/P: 106, L: 7/P: 107, L: 9/P: 109, L: 10/P: 110, L: 12/P: 112; L: 13/P: 113; Lot 14/P: 114, L: 15/P: 115, L: 16/P: 116, L: 17/P: 117, L: 18/P: 118, L: 19/P: 119, L: 20/P: 120, L: 21, P: 121, L: 22/P: 122, L: 23/P: 123, L: 25/P: 125, L: 27, P: 127, L: 28/P: 128, L: 29/P: 129, L: 30/P: 130, L: 31, P: 131, L: 32/P: 132, L: 33/P: 133, L: 34/P: 134, L: 35/P: 135, L: 36/P: 136; Burr Industrial Park, Ph. I: L: 12/P: 65; James Burr Technology Center: L: 3/P: 16.4; Zone: Industrial Commercial; File: ZV16-14.

- 5. Variance request by the Jefferson County Convention and Visitor's Bureau, applicant, on behalf of the Jefferson County Commission, owner, from the following:
 - a) Appendix B to reduce the front setbacks from 40' to 19.97' (ZV16-15); and,
 - b) Appendix B to reduce the front parking setback from 15' to 0'; and Section 11.1A to allow on-street parking (ZV16-16).

Location: 37 Washington St. Harpers Ferry, WV. District: Harpers Ferry (04); Map: 7; P: n/a; Size: .64 ac; Zone: Rural

- 6. Zoning Administrator's Report.
 - a) Monthly Zoning Certificate Activity Report
- 7. Legal Update. Possible executive session on the follow pending lawsuits: None.
 - a) Discussion with possible deliberative session and signing of draft findings/decisions.